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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/997,989	11/30/2001	Yury Kamen	16159/024001; P6424	4253
32615	7590	10/06/2005		
OSHA LIANG L.L.P./SUN 1221 MCKINNEY, SUITE 2800 HOUSTON, TX 77010			EXAMINER NAWAZ, ASAD M	
			ART UNIT 2155	PAPER NUMBER
DATE MAILED: 10/06/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/997,989

Applicant(s)

KAMEN ET AL

Examiner

Asad M. Nawaz

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 July 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is responsive to the amendment filed 7/6/05. All independent claims were amended. No new claims have been added. No claims have been canceled. Accordingly, claims 1-32 are presented for examination.

Response to Arguments

2. Applicant's arguments with respect to claims 1-32 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-32 are rejected under 35 U.S.C. 103(a) as being taught by Pirolli et al (US Patent No 6,098,064) hereinafter referred to as Pirolli further in view of Yates et al (US Patent No 6,167,438).

As to claim 1, Pirolli et al teaches an automatic caching method for a distributed application having a client and a server, comprising: intercepting a call between the

client and the server in order to collect information about objects accessed on the server during the call wherein information is collected based on usage patterns of object attributes on the client (Abstract; col 2, lines 54-67; col 3, lines 1-12; col 5, lines 15-38);

prefetching data from an object on the server based on collected information, placing data into a client cache; (col 3, lines 21-23

synchronizing marked calls with the server and synchronizing the client cache with the server (col 7, lines 30-49; col 6, lines 45-61).

However, Pirolli et al does not explicitly indicate that the distributed application has a first portion running on the client and a second portion running on a server.

Yates et al teaches a distribution of an application wherein a portion of the application resides on a client and a portion of the application resides on the server (Figs 7 and 8; col 3, lines 23-65).

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teachings of Yates into those of Pirolli to make the system more robust. Because cache copies are distributed through the network, there is no single expected point of failure of the caching system, and the system is robust and fail-safe. (Yates et al; col 4, lines 27-33)

Claims 13, 14, 21, 24, 25, 31, and 32 are essentially the system, computer-readable media, and apparatus for the above-mentioned claim and are thus rejected under similar rationale.

As to claim 2, Pirolli et al teaches the automatic caching method of claim 1, further comprising: invalidating the client cache at the end of an activity. (col 6, lines 45-61; col 7, lines 20-49)

As to claim 3, Pirolli et al teaches the automatic casting method of claim 1, further comprising: storing data in a proxy for the object that is locally accessible to the client. (col 11, lines 18-58)

As to claim 4, Pirolli et al teaches the automatic caching method of claim 3, wherein storing data in the proxy comprises creating the proxy from a proxy class. (col 4, lines 31-67)

Claim 26 is essentially the computer readable medium for the above-mentioned claim and is thus rejected under similar rationale.

As to claim 5, Pirolli et al teaches the automatic caching method of claim 4, wherein creating the proxy comprises storing a reference to the proxy in the client cache. (col 11, lines 18-58)

As to claim 6, Pirolli et al teaches the automatic caching method of claim 4, wherein creating the proxy comprises storing a reference to the object inside the proxy. (col 10, lines 51-58)

Claims 23 and 27 are essentially the system and computer-readable medium for the above-mentioned claim and are thus rejected under similar rationale.

As to claim 7, Pirolli et al teaches the automatic caching method of claim 5, further comprising: invalidating the proxy at the end of an activity. (col 11, lines 46-51)

As to claim 8, Pirolli et al teaches the automatic caching method of claim 5, further comprising: partially invalidating the client cache at the end of an activity. (col 6, lines 45-61; col 7, lines 20-49)

As to claim 9, Pirolli et al teaches the automatic caching method of claim 1, further comprising: invoking a method of the object in response to a request received by a proxy to invoke the method of the object. (col 7, lines 8-19)

Claims 23 and 27 are essentially the computer-readable medium for the above-mentioned claim and are thus rejected under similar rationale.

As to claim 10, Pirolli et al teaches the automatic caching method of claim 9, wherein invoking the method of the object comprises synchronizing data stored in the proxy with data in the object. (col 6, lines 45-61; col 7, lines 20-49)

Claim 26 is essentially the computer readable medium for the above-mentioned claim and is thus rejected under similar rationale.

As to claim 11, Pirolli et al teaches the automatic caching method of claim 1, wherein collected information comprises object attributes requested by the client during the call. (Abstract; col 2, lines 54-67; col 3, lines 1-12; col 5, lines 15-38)

Claim 15 contains similar limitations as the above-mentioned claim and is thus rejected under similar rationale.

As to claim 12, Pirolli et al teaches the automatic caching method of claim 1, wherein collected information comprises information for accessing an interface of the object. (Abstract; col 2, lines 54-67; col 3, lines 1-12; col 5, lines 15-38)

As to claim 16, Pirolli teaches the automatic caching method of claim 14, wherein interposing the runtime between the client and the server comprises instrumenting the client such that a request normally sent to the server is directed to the runtime. (col 4, lines 11-64)

Claim 22 is essentially the system for the above-mentioned claim and is thus rejected under similar rationale.

As to claim 17, Priolli teaches the automatic caching method of claim 14, wherein the runtime has a client portion that runs in the same machine as the client and a server portion that runs in the same machine as the server. (fig 2, col 4, lines 11-64; col 6, lines 5-35)

As to claim 18, Pirolli teaches the automatic caching method of claim 17, further comprising: sending a request to the server portion by the client portion to synchronize data stored in the proxy with data in the object. (col 7, lines 30-49; col 6, lines 45-61)

As to claim 19, Priolli teaches the automatic caching method of claim 17, further comprising: sending a request to the server portion to invoke a method of the object on behalf of the proxy. (col 11, lines 18-36)

As to claim 20, Pirolli teaches the automatic caching method of claim 19, further comprising: synchronizing data stored in the proxy with the data in the object by the server portion prior to invoking the method of the object. (col 7, lines 30-49; col 6, lines 45-61)

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Asad M. Nawaz whose telephone number is (571) 272-3988. The examiner can normally be reached on M-F 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on (571) 272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


AMN


SALEH NAJJAR
PRIMARY EXAMINER